

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DIOGENS MENDEZ,

Index No.: 08 CV 01281
Justice (Chin, J)

Plaintiff(s),

- against -

**ANSWER TO
CROSS-CLAIM**

MOHAMED M. DIALLO, LEVEL TRANS CORP.,
129 BROADWAY, INC., BILL WOLF PETROLEUM
CORP., and HORIZON PLANNING SERVICES LTD.,

Defendant(s).

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The defendant(s), LEVEL TRANS CORP., by their attorney, MARJORIE E.

BORNES, answering the cross-claims asserted in the Answer received by Defendants BILL
WOLF PETROLEUM CORP., respectfully alleges upon information and belief, as follows:

Denies each and every allegation contained in the cross-claims, denominated as the
Cross-Claim for Common Law Indemnification; the Cross-Claim for Contractual Indemnification;
the Cross-Claim for Common Law Negligence and the Cross-Claim for Insurance Coverage

WHEREFORE, the answering defendant(s), demand(s) judgment dismissing the
complaint of the plaintiff(s) herein, and Cross-Claims of Defendants BILL WOLF PETROLEUM
CORP. or in the alternative, demands indemnification and/or contribution from the co-
defendants and/or plaintiff herein, together with the costs and disbursements of this action.

Dated: New York, New York
June 20, 2008

Yours, etc.,

MARJORIE E. BORNES (MB6505)
Attorney for Defendant(s)
Level Trans Corp
330 West 34th Street - 7th Floor
New York, New York 10001
212-857-8252

TO: **Baron & Pagliughi, Esq**
Peter D. Baron (PDB 8519)
Attorneys for Plaintiff
85 Main Street – Suite A
Cold Spring Harbor, NY 11724

Baker, McEvoy, Morrissey & Moskovitz, PC
Attorney for Defendant(s)
Mohammed M. Diallo
330 West 34th Street - 7th Floor
New York, New York 10001

129 Broadway Inc.
Defendant *pro se*
3225 Broadway
New York, New York 10027

Milber Makris Plousadis & Seiden, LLP
Lorin Ann Donnelly
Attorney for Defendant(s)
Horizon Planning Services Ltd.
1000 Woodbury Road, Suite 402
Woodbury, New York 11797

Law Office of John P. Humphreys
Warren T. Harris (3323)
Attorneys for Defendants
Bill Wolf Petroleum Corp.
485 Lexington Avenue, 7th Floor
New York, New York 10017

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ANSWER TO CROSS-CLAIM

MARJORIE E. BORNES, ESQ.

Attorney for Defendant(s) *Level Trans Corp*
330 West 34th Street - 7th Floor
New York, New York 10001
(212) 857-8252

TO:

Attorney for _____

Service of a copy of the within

is hereby admitted.

Dated _____

Attorneys for

PLEASE TAKE NOTICE

Notice of Entry

that the within is a true copy of a _____ duly entered in the office of the Clerk of the within Court
on _____, 200 .

Notice of Settlement

that an order of which the within is a true copy will be presented for settlement to the Hon.
_____, one of the Judges of the within named Court, at _____ on _____ at _____ A.M.

Dated _____

MARJORIE E. BORNES, ESQ.

Attorney for Defendant(s)

Level Trans Corp

330 West 34th Street - 7th Floor

New York, New York 10001

212-857-8252

TO:

Attorney for

UNITED STATES DISTRICT COURT
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CERTIFICATION OF SERVICE BY EFILING AND MAIL

STATE OF NEW YORK)
) ss:
COUNTY OF NEW YORK)

I hereby certify that on June 20, 2008 the foregoing document **ANSWER TO CROSS-CLAIM** was filed with the Clerk of the Court and served in accordance with the Federal Rules of Civil Procedure, and/or the Southern District's Local Rules, and/or the Southern District's Rules on Electronic Service, upon:

In addition, on June 20, 2008, I served the same papers described above by depositing a true copy of same enclosed in a post paid properly addressed wrapper in a post office under the exclusive care and custody of the U.S. Postal Service within the State of New York addressed to each attorney or party as follows:

TO: SEE RIDER

MARJORIE E. BORNES

RIDER

By Electronic Filing:

TO: BARON & PAGLIUGHI, ESQS.

Peter D. Baron (PDB 8519)
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Cold Spring Harbor, NY 11724

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By Regular Mail:

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